

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

(1) ANDREW CHABALLA, as
Next of Kin of LAVERNE SOMERS,
Deceased, and ANDREW CHABALLA
as Administrator of the Estate of
LAVERNE SOMERS

Plaintiffs,

v.

Case No. 5:22-cv-00772-F

(1) SP HEALTHCARE
MANAGEMENT LLC

(2) MIDWEST GERIATRIC
MANAGEMENT, LLC

(3) JUDAH BIENSTOCK

Defendants.

**PLAINTIFF'S MOTION TO EXTEND THEIR EXPERT DESIGNATION DEADLINE
BY TWO DAYS TO INCLUDE FEBRUARY 22, 2024**

COME NOW, Plaintiffs, by and through their respective counsel of record and hereby file this Plaintiff's Motion, and request this Honorable Court to extend the non-expired Scheduling Order deadlines of Plaintiffs' expert witness list. In support of this Motion, the Parties would show the Court as follows:

1. Plaintiff has been working with retained expert Suzanne Frederick to complete the submission of her expert report.
2. As of 11:25pm, on February 20, 2024, Ms. Frederick is unable to complete her expert witness report due to an illness she contracted today.

3. Plaintiffs request two more days including February 22, 2024, to submit Ms. Fredrick's report.

4. Plaintiffs have provided Ms. Frederick as a retained expert witness but simply do not have her completed report yet. (Doc. 32)

5. Plaintiffs have submitted the remaining expert reports other than Ms. Frederick. (Doc. 32)

6. Plaintiffs have not had the opportunity to confer with opposing counsel regarding this request due to the severity and last-minute nature of Ms. Frederick's illness.

7. The granting of this Motion will not cause prejudice to any party hereto nor will it cause any change to the Court's docket or delay in the Court's hearing of this matter.

WHEREFORE, the Plaintiffs respectfully request this Court to the deadline for Plaintiffs to disclose their expert reports report to February 22, 2024.

DATED: February 22, 2024.

Respectfully submitted,

[**signatures on following page**]

Respectfully submitted,

/s/ Ryan J. Fulda

Ryan J. Fulda

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